



FOR INFORMATION AND DISCUSSION

TO: Members of the Agenda Committee

SPONSOR: Professor Ellen Hodnett, Chair, Agenda Committee

DATE: March 5 for March 12, 2013

AGENDA ITEM: 2

ITEM IDENTIFICATION: Approval Process for Divisional Constitutional Amendments

JURISDICTIONAL INFORMATION:

Section 2(14)(na) of the *University of Toronto Act, 1971*, permits delegation of authority to act for the Governing Council to committees that lack a majority of members from the Governing Council in certain purely academic areas: examinations, student academic awards, admission standards, curriculum and academic requirements.

Section 5.2.2 of the Academic Board's terms of reference calls for new or amended divisional constitutions to be forwarded from divisional councils to the Board for its consideration and to the Executive Committee for confirmation. Amendments to by-laws, which may contain matters such as committee memberships, their terms of reference, and procedural rules, are approved by divisional councils.

PREVIOUS ACTION TAKEN:

In October, 2010, the Governing Council approved in principle, the *Report of the Task Force on Governance* and the 32 recommendations outlined in the *Report*. The Task Force recommended that, as a guiding principle, transactional matters be delegated to either the lowest appropriate level within governance, or where appropriate, to the administration, with reporting back of decisions to a suitable level of governance. Recommendation 30 called for a reduction or elimination of routine or transactional items to enhance efficiency through consent agendas.

In October, 2011, amendments to Board and Committee Terms of Reference were approved by the Governing Council. Procedural changes, including the use of consent agendas, were among the approved changes, and the Academic Board Terms of Reference (Section 6.2) was revised to state that the Agenda Committee may determine whether an item should be placed on the consent portion of an Academic Board agenda.

In line with the work of the Task Force on Governance, the *Policy for Approval and Review of Academic Programs and Units*, and the *University of Toronto Quality Assurance Process*, most faculties/divisions revised their constitutions and by-laws in 2011-2012. Sections addressing approval processes for proposals for new academic programs and modification of existing

Approval Process for Divisional Constitutional Amendments

PREVIOUS ACTION TAKEN: (cont'd)

programs were revised in the documents as needed. A number of faculties/divisions also updated their constitutions and by-laws based on templates provided by the Office of the Governing Council and made additional changes as they felt appropriate following consultation with their constituencies.

HIGHLIGHTS:

Following on these significant revisions of their constitutions and by-laws in 2011-12, a number of faculties/ divisions have continued the discussion around these foundational documents and are now beginning to consider further amendments to their constitutions and by-laws - some minor and some major. Given that regular, largely routine proposals for constitutional amendments are expected to be submitted for Academic Board approval, it seems timely to put in place guidelines for how these amendments should be considered. In this context, the following guidelines for the Agenda Committee have been developed.

- 1) Proposals for minor amendments to divisional constitutions should be placed on the consent agenda of Academic Board meetings. Minor amendments that address purely academic matters of examinations, awards, admissions, or curriculum should receive final approval from the Academic Board. It would not be necessary to forward such proposals to the Executive Committee for confirmation. (Under Sections 2 (14) (g), (h), and (n) of the *University of Toronto Act, 1971*, the Board has final decision-making authority for such purely academic matters.)
- 2) Proposals for minor amendments to divisional constitutions that address matters other than examinations, awards, admissions, or curriculum should be placed on the consent agenda of Academic Board meetings and would require Executive Committee confirmation following Academic Board approval.

An example might be the addition of two Professors Emeriti to the membership of a Faculty Council.

- 3) Proposals for major amendments to divisional constitutions should be placed on the regular agenda of Academic Board meetings. Major amendments that address purely academic matters of examinations, awards, admissions, or curriculum, could receive final approval from the Academic Board. It would not be necessary to forward such proposals to the Executive Committee for confirmation.

Approval Process for Divisional Constitutional Amendments

HIGHLIGHTS: (cont'd)

An example might be the delegation of authority to determine a Faculty's standard of admission of students by Council to a standing committee. [Note: new admission policies and practices or amendments to existing ones affecting the whole Faculty are recommended to the appropriate body of Governing Council for approval.]

- 4) Proposals for major amendments to divisional constitutions that deal with matters that are not purely academic should be placed on the regular agenda of Academic Board meetings. Such proposals would require Executive Committee confirmation following Academic Board approval.

An example might be a change to a Faculty Council's quorum.

The above guidelines are consistent both with the *University of Toronto Act* and the Board's existing Terms of Reference. No revisions to the latter are required in order for the guidelines to be implemented immediately.